

## **WEST TISBURY PLANNING BOARD MINUTES JULY 18, 2011**

**PRESENT:** Ginny Jones, Susan Silva, Bea Phear,

**ABSENT:** Leah Smith, Jim Powell

**OTHERS:** Jill & Jason Napior, Sue Hruby, Sander Shapiro, Tim Twombly, Simone DeSorcy

### **CORRESPONDENCE**

**In:** Complaint, "William C. Graham, et al. v. Virginia C. Jones, et al."  
D.A. Danielson re. Napior Form C Application

### **OLD BUSINESS**

**Public Hearing, Napior Form C Application, M22, L7.1 & 7.6:** Ginny read the hearing notice and opened the public hearing. Jill and Jason Napior presented a plan that would change two existing lots into three lots, each approximately three acres. Ginny read a letter of support from abutter D.A. Danielson. The existing house and 800 sq. ft. guesthouse on lot 3 on the plan were discussed, and the zoning bylaw that requires 4.5 acres minimum for guesthouses on newly created lots. Town Counsel has advised in the past that the Zoning Act considers any change of lot line to constitute a new lot. Thus, approving a 3.35 lot to have a guesthouse would be a zoning violation.

The Napiors said they would propose to the ZBA that the guesthouse become a permanently-affordable Accessory Apartment, per Section 4.4-3 of the Zoning Bylaw. Detached Accessory Apartments, however, are allowed a maximum of 500 sq. ft. After a discussion, Board members agreed that there would be no benefit to the Town in requiring the Napiors to wall off space, most especially considering that the proposal would add to the Town's pool of permanently protected affordable housing.

Bea made a motion to continue the public hearing until after the ZBA has acted; all in favor.

**Harrowby Lawsuit:** Board members discussed the complaint filed by William Graham against the most recent Planning Board decision re. Harrowby. The Board approved attorney Mark Lanza's request to receive service of the complaints on behalf of individual members.

**Visioning:** Bea said that Susan Wasserman is interested in participating in a Town visioning session. It was discussed that it could take place in March.

**Energy Committee Presentation:** Members of the Energy Committee gave a presentation on the benefits of becoming a designated Green Community per the State. If so designated, grant monies would be available to the Town. Two years ago the Planning Board recommended against designation because at that time the State was requiring that wind turbines be allowed throughout Town as-of-right, and Townspeople feel strongly that their siting should receive Special Permit review. Sander Shapiro said that now the State would allow an area to be set aside for green energy. Tisbury has done so with photovoltaic energy production at the dump.

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It was discussed that a zoning bylaw change would be needed to become designated. There is a way to designate that only certain projects could be done.

It was discussed that the more-strict Stretch Code would need to be adopted to replace our existing building code. The State has told the Committee that this will become mandatory in 2013. Ernie Mendenhall said there's no way he can inspect and approve the Stretch Code; a certified inspector from off-island would need to be hired.

After further discussion, Bea urged the Committee to further explore becoming a Green Community. Ginny said the Board endorsed their efforts.

The meeting was adjourned at 6:45 p.m.

Respectfully submitted,

Simone DeSorcy, Board Administrator